

# Senate File 67 - Introduced

SENATE FILE 67

BY DANIELSON

## A BILL FOR

1 An Act relating to exemptions from motor vehicle window  
2 transparency requirements, and including effective date and  
3 applicability provisions.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.438, subsection 2, Code 2013, is  
2 amended to read as follows:

3 2. a. A person shall not operate on the highway a motor  
4 vehicle equipped with a front windshield, a side window to the  
5 immediate right or left of the driver, or a ~~side-wing~~ sidewing  
6 forward of and to the left or right of the driver which is  
7 excessively dark or reflective so that it is difficult for a  
8 person outside the motor vehicle to see into the motor vehicle  
9 through the windshield, window, or sidewing. The department  
10 shall adopt rules establishing a minimum measurable standard  
11 of transparency which shall apply to violations of this  
12 subsection.

13 b. An exemption from the minimum standard of transparency  
14 established by the department, which was granted by the  
15 department to a person suffering from a severe light-sensitive  
16 condition prior to July 4, 2012, shall continue to apply for as  
17 long as the person's need for an exemption is documented by a  
18 physician. When the person who is the subject of the exemption  
19 is no longer a passenger or operator of the motor vehicle  
20 to which the exemption applies, the person may transfer the  
21 exemption to another vehicle in which the person is a passenger  
22 or operator by obtaining a form provided by the department, to  
23 be signed by the person's physician and carried at all times in  
24 the vehicle to which the exemption applies, in the same manner  
25 prescribed for the original exemption.

26 Sec. 2. EFFECTIVE UPON ENACTMENT. This Act, being deemed of  
27 immediate importance, takes effect upon enactment.

28 Sec. 3. RETROACTIVE APPLICABILITY. This Act applies  
29 retroactively to July 4, 2012.

30 EXPLANATION

31 Current law prohibits a person from operating a motor  
32 vehicle with a front windshield, front side windows, or  
33 front sidewings to the left or right of the driver that are  
34 excessively dark or reflective so that it is difficult for  
35 a person to see into the motor vehicle. The department of

1 transportation has established by rule a minimum standard of  
2 transparency of 70 percent light transmittance.

3 Prior to July 4, 2012, a person with a documented medical  
4 need could apply to the department for an exemption from the  
5 minimum standard of transparency. The department's exemption  
6 form bearing the signature of the person's physician must be  
7 carried at all times in the vehicle to which the exemption  
8 applies. As of July 4, 2012, pursuant to administrative rules,  
9 the department discontinued issuing new exemptions; however,  
10 a motor vehicle to which a prior exemption still applies can  
11 continue to be operated under the terms of the exemption for  
12 as long as the motor vehicle continues to be used for the  
13 transport of the passenger or operator who is the subject of  
14 the exemption.

15 This bill provides that an exemption granted prior to July 4,  
16 2012, does not expire when the vehicle to which it applies is  
17 no longer used for the transport of the passenger or operator  
18 who is the subject of the exemption. The person who is the  
19 subject of the exemption may transfer the exemption to another  
20 vehicle in which that person is a passenger or operator. To  
21 accomplish the transfer, the person must obtain a form from the  
22 department, to be signed by the person's physician and carried  
23 in the vehicle at all times, in the same manner in which the  
24 original exemption was obtained.

25 The bill is effective upon enactment and applies  
26 retroactively to July 4, 2012.